



Let's Talk About Reps...

By **Philip Cameron** - 26 June 2020

It's probably not the hottest topic on everyone's lips at the moment, but we want to explain why employers should be thinking now about electing employee representatives. Employers are understandably preoccupied with many other seemingly more pressing issues at the moment (see our "[Back to the Workplace](#)" series), but considering employee representation now could save employers a significant headache come later in the year.

So, why is it important to consider electing employee representatives ("reps")?

You might need to consult reps, by law...

In some circumstances employers are legally obliged to consult with reps about certain matters, including collective redundancies.

You would like to think that most of the time you are fully aware when you are entering collective consultation territory. But a collective redundancy process can be triggered inadvertently, e.g. where you are changing terms and conditions and employees are not eager to agree.

Electing reps can take time...

In the context of collective redundancies, it is commonly known that you need to consult for a minimum period of 30 or 45 days, but the answers to questions such as, 'do we need to elect reps?' and 'how long will the election take?' are much less well known and can also be much trickier! Getting it wrong can lead to high value claims.

We are living at the moment from one day to the next but it's worth stopping to consider whether collective redundancies or changing terms and conditions are remotely likely for your business. If so, you should think **now** about whether you need to appoint reps. You do not want to be scrambling around to work out if you need to appoint reps at the last moment. This will only add complexity and

increased time to a redundancy situation.

There are always employee relations benefits...

Discussions with employees are always a good thing and not just because you may be contemplating redundancies.

Now is the time to look at your consultative mechanisms and ensure you have something in place to allow you to move swiftly to carry out redundancies, if that is what is needed. If no redundancies are made, no harm has been done - you now have a standing body in which to discuss workplace issues, which can be hugely beneficial from an employee relations perspective. Employees who work for an employer which regularly consults with them about important issues will feel more valued, be more engaged and generally feel more connected, especially if they are away from the workplace.

What's up next?

To help guide you through this we will shortly be releasing a series of three short guides to help you navigate:

- Do we need to elect reps?
- How do we elect reps?
- What is the role of a rep, and what legal protections do they have?

Watch this space!

If you or your organisation would like more information about electing employee representatives, please get in touch with your usual GQ|Littler contact or email [\[email protected\]](#).